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03 JUL 25 2012

04 AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY [Signature]

05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

07 UNITED STATES OF AMERICA,) CASE NO. MJ 12 - 392
08 Plaintiff,)
09 v.) DETENTION ORDER
10 GUMERCINDO GUZMAN-TORRES,)
11 Defendant.)
12 _____)

13 Offenses charged:

14 Count 1 – Conspiracy to Distribute Heroin (100+ gr.) and Methamphetamine (50+ gr.)
15 Count 5 – Possession of Methamphetamine with Intent to Distribute
16 Count 9 – Illegal Alien in Possession of Firearm
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18 Date of Detention Hearing: July 25, 2012.

19 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
20 based upon the factual findings and statement of reasons for detention hereafter set forth,
21 finds that no condition or combination of conditions which defendant can meet will
22 reasonably assure the appearance of defendant as required and the safety of other persons and

01 the community.

02 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

03 1. Defendant is a citizen of Mexico, and is present in this country illegally,
04 according to records of the U.S. Marshal and the Bureau of Immigration and Customs
05 Enforcement.

06 2. There is an immigration detainer pending against defendant. The issue of his
07 release on this charge is therefore essentially moot.

08 3. Upon advice of counsel, defendant declined to be interviewed by this court's
09 pretrial services officer. The court therefore has very limited additional information about
10 defendant.

11 4. Defendant and his counsel offered no evidence, proffer or argument to contest
12 the entry of an order of detention.

13 5. There does not appear to be any condition or combination of conditions that
14 will reasonably assure the defendant's appearance at future Court hearings while addressing
15 the danger to other persons or the community.

16 It is therefore ORDERED:

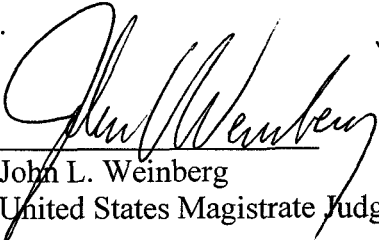
17 1. Defendant shall be detained pending trial and committed to the custody of the
18 Attorney General for confinement in a correction facility separate, to the extent
19 practicable, from persons awaiting or serving sentences or being held in custody
20 pending appeal;

21 2. Defendant shall be afforded reasonable opportunity for private consultation with
22 counsel;

01 3. On order of the United States or on request of an attorney for the Government, the
02 person in charge of the corrections facility in which defendant is confined shall deliver
03 the defendant to a United States Marshal for the purpose of an appearance in
04 connection with a court proceeding; and

05 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
06 for the defendant, to the United States Marshal, and to the United State Pretrial
07 Services Officer.

08 DATED this 25 day of July, 2012.

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10 John L. Weinberg
11 United States Magistrate Judge
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